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2022-CC01111 - M & B OIL INC V FEDERATED MUTUAL INSURANCE ET AL (E-CASE)

[Case File](#) | [Parties & Attorneys](#) | [Docket Entries](#) | [Charges, Judgments & Sentences](#) | [Service Information](#) | [Filings Due](#) | [Scheduled Hearings & Trials](#) | [Civil Judgments](#) | [Garnishments/Execution](#)

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- 02/17/2021 ☐ [Notice](#)
DEPARTMENT OF COMMERCE AN INSURANCE
- 02/01/2021 ☐ [Jury Trial Scheduled](#)
Scheduled For: 03/22/2021; 9:00 AM ; MICHAEL FRANCIS STELZER; City of St. Louis
- ☐ [Hearing Continued/Rescheduled](#)
Hearing Continued From: 02/08/2021; 9:00 AM Jury Trial
- 01/13/2021 ☐ [Alias Summons Issued](#)
Document ID: 21-SMCC-423, for FEDERATED MUTUAL INSURANCE CO.
- 01/06/2021 ☐ [Note to Clerk eFiling](#)
Filed By: DAVID C. KNIERIEM
- ☐ [Alias Summons Requested](#)
Request for alias summons.
Filed By: DAVID C. KNIERIEM
On Behalf Of: M & B OIL, INC.
- 01/04/2021 ☐ [Amended Notice of Hrng Filed](#)
AMENDED NOTICE OF HEARING
Filed By: DAVID C. KNIERIEM
On Behalf Of: M & B OIL, INC.
- 12/24/2020 ☐ [Notice of Hearing Filed](#)
Notice of Hearing.
Filed By: DAVID C. KNIERIEM
On Behalf Of: M & B OIL, INC.
- ☐ [Motion for Default Judgment](#)
Motion for Default as to Federated Insurance; Affidavit.
Filed By: DAVID C. KNIERIEM
On Behalf Of: M & B OIL, INC.
- 12/01/2020 ☐ [Jury Trial Scheduled](#)
Associated Entries: 02/01/2021 - [Hearing Continued/Rescheduled](#)
Scheduled For: 02/08/2021; 9:00 AM ; MICHAEL FRANCIS STELZER; City of St. Louis
- ☐ [Hearing Continued/Rescheduled](#)

Hearing Continued From: 12/14/2020; 9:00 AM Jury Trial

08/20/2020 ☐ [Corporation Served](#)

Document ID - 20-SMCC-7142; Served To - FEDERATED MUTUAL INSURANCE CO; Server - ; Served Date - 12-AUG-20; Served Time - 09:35:00; Service Type - Sheriff Department; Reason Description - Served

08/19/2020 ☐ [Corporation Served](#)

Document ID - 20-SMCC-7143; Served To - CITY OF ST LOUIS WATER DIV; Server - J GALLI, SERVICE DEPUTY; Served Date - 19-AUG-20; Served Time - 14:21:00; Service Type - Sheriff Department; Reason Description - Served; Service Text - CAROLY HARGACIA/EXEC SEC

08/06/2020 ☐ [Summons Issued-Circuit](#)

Document ID: 20-SMCC-7143, for CITY OF ST LOUIS WATER DIV.

☐ [Summons Issued-Circuit](#)

Document ID: 20-SMCC-7142, for FEDERATED MUTUAL INSURANCE CO.

06/29/2020 ☐ **Jury Trial Scheduled**

Associated Entries: 12/01/2020 - Hearing Continued/Rescheduled

Scheduled For: 12/14/2020; 9:00 AM ; REX M BURLISON; City of St. Louis

06/10/2020 ☐ [Summ Req-Circuit Pers Serv](#)

Memo to Clerk requesting summons.

Filed By: DAVID C. KNIERIEM

On Behalf Of: M & B OIL, INC.

06/09/2020 ☐ **Judge/Clerk - Note**

THE SUMMONS WAS NOT ISSUED, PLEASE E-FILE AN ADDITIONAL \$36.00 FOR THE CITY SHERIFF'S FEE OR A REQUEST FOR SPECIAL PROCESS SERVER, USING THE COURT APPROVED FORM. SEE stlcircuitcourt.com UNDER GENERAL INFORMATION-COURT FORMS.

06/05/2020 ☐ **Filing Info Sheet eFiling**

Filed By: DAVID C. KNIERIEM

☐ [Pet Filed in Circuit Ct](#)

Petition; Exhibit 1 Policy.

Filed By: DAVID C. KNIERIEM

On Behalf Of: M & B OIL, INC.

☐ **Judge Assigned**

IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS
STATE OF MISSOURI

M & B OIL, INC.,)	
)	
Plaintiff,)	
)	
vs.	)	Cause No.
)	
FEDERATED MUTUAL INSURANCE)	
COMPANY,	)	Div. 1
Serve:)	
Director of Insurance)	
301 West High Street, Room 530	)	JURY TRIAL DEMANDED
Jefferson City, MO 65101)	
)	
and)	
)	
CITY OF ST. LOUIS)	
Serve: Officer in Charge, Water Division)	
1640 S. Kingshighway)	
St. Louis, MO 63110)	
Defendants.)	

PETITION

Comes now Plaintiff, and for its cause of action against Defendants, states as follows:

1. Plaintiff is a domestic corporation.
2. The defendant Federated Mutual Insurance Company ("Federated") is a foreign insurance company.
3. The defendant City of St. Louis ("City") is a domestic municipal corporation that for purposes of this lawsuit was acting in a proprietary capacity of supplying water.
4. On or before February 2nd, 2019, Plaintiffs sustained damage due to a freezing water pipe on property owned by it at 2501 N. Grand Blvd, St. Louis, MO 63106.

Count I – Federated – Breach of Contract

5. Plaintiff restates and realleges paragraphs 1-4 of this Petition as if fully set forth herein.

6. Defendant Federated issued to plaintiff an insurance policy, # 6061069, attached as Exhibit 1, which provided coverage for this damage, and was in full force and effect at the time of the damage. This policy was issued in Missouri and delivered in Missouri.

6. Plaintiff satisfied all conditions precedent under the policy.

7. Demand was made by Plaintiff to Defendant to provide coverage for this damage, and indemnify Plaintiff for its loss.

8. Defendant has failed to pay the losses owed under the policy.

9. Plaintiff was damaged in an amount that has not been indemnified in excess of \$400,000.00.

10. In addition, this refusal to pay the value of the damage was vexatious and in bad faith as it was without reasonable cause or excuse, in that Defendant has unreasonably delayed payment of the loss, and has no basis for not paying the claim other than to unnecessarily delay payment, thereby entitling plaintiff to the penalties set forth in Mo. Rev. Stat. § 375.420, including attorneys' fees.

WHEREFORE, Plaintiff respectfully requests this court enter judgment against Defendant Federated in an amount in excess of \$25,000.00, pre- and post judgment interest, attorneys' fees, and a penalty of 20% of the first \$1500.00 of loss and 10% of the amount in excess of \$1500.00, costs, and any other relief this Court deems just and proper.

Count II – City – Detrimental Reliance

11. Plaintiff restates and realleges paragraphs 1-4 of this Petition as if fully set forth herein.

12. On February 2, 2019, Defendant City advised Plaintiff through the City of St. Louis Fire Department that it was shutting off the water to the premises.

13. The City failed to shut off the water, and did not advise either the Fire Department or Plaintiff of this.

14. Plaintiff relied on the City's statement that it was turning off the water to its detriment.

15. As a result, Plaintiff sustained damages to its premises in excess of \$400,000.

WHEREFORE, plaintiff respectfully requests this court enter judgment against defendant in an amount in excess of \$25,000.00, pre- and post judgment interest, costs, and any other relief this Court deems just and proper.

LAW OFFICES OF DAVID C. KNIERIEM

/s/ David C. Knieriem
David C. Knieriem #37968
13321 North Outer Forty Road, Suite 100
Town & Country, MO 63017
314-862-5110
Attorney for Plaintiff

IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS
STATE OF MISSOURI

M & B OIL, INC.,)	
)	
Plaintiff,)	
)	
vs.	)	Cause No. 2022-CC01111
)	
FEDERATED MUTUAL INSURANCE)	
COMPANY, et al.	)	Div. 1
)	
Defendants.)	

MEMORANDUM TO CLERK

Please issue summons to:

FEDERATED MUTUAL INSURANCE
COMPANY,

Serve:

Director of Insurance
301 West High Street, Room 530
Jefferson City, MO 65101

and

CITY OF ST. LOUIS

Serve: Officer in Charge, Water Division
1640 S. Kingshighway
St. Louis, MO 63110

LAW OFFICES OF DAVID C. KNIERIEM

/s/ David C. Knieriem

David C. Knieriem #37968

13321 North Outer Forty Road, Suite 100

Town & Country, MO 63017

314-862-5110

Attorney for Plaintiff



Judge or Division: REX M BURLISON	Case Number: 2022-CC01111
Plaintiff/Petitioner: M & B OIL, INC.	Plaintiff's/Petitioner's Attorney/Address DAVID C. KNIERIEM 13321 NORTH OUTER FORTY RD SUITE 100 TOWN & COUNTRY, MO 63017
Defendant/Respondent: FEDERATED MUTUAL INSURANCE CO	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101
Nature of Suit: CC Breach of Contract	(Date File Stamp)

Summons in Civil Case

The State of Missouri to: CITY OF ST LOUIS WATER DIV

Alias:

OFFICER IN CHARGE
WATER DIVISION
1640 S KINGSHIGHWAY
ST LOUIS, MO 63110

COURT SEAL OF



CITY OF ST LOUIS

SHERIFF'S FEE PAID

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

August 6, 2020

Date

Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).
- ☐ other: _____

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable


Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$ _____ per mile)
Total	\$ _____

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



Judge or Division: REX M BURLISON	Case Number: 2022-CC01111
Plaintiff/Petitioner: M & B OIL, INC.	Plaintiff's/Petitioner's Attorney/Address DAVID C. KNIERIEM 13321 NORTH OUTER FORTY RD SUITE 100 TOWN & COUNTRY, MO 63017
Defendant/Respondent: FEDERATED MUTUAL INSURANCE CO	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101
Nature of Suit: CC Breach of Contract	(Date File Stamp)

Summons in Civil Case

The State of Missouri to: FEDERATED MUTUAL INSURANCE CO	
Alias:	COLE COUNTY, MO
DIRECTOR OF INSURANCE 301 WEST HIGH STREET, ROOM 530 JEFFERSON CITY, MO 65101	
COURT SEAL OF  CITY OF ST LOUIS	You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.
August 6, 2020	<i>Thomas Koenig</i>
Date	Clerk
Further Information:	

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).
- ☐ other: _____

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$ _____ per mile)
Total	\$ _____

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



VERNON BETTS
SHERIFF
CITY OF ST. LOUIS
CIVIL COURTS BUILDING
10 NORTH TUCKER BOULEVARD
ST. LOUIS, MISSOURI 63101
622-4851

Dw01
M&B Oil Inc.

Return of Service on Summons/Petition and Subpoena

Defendant City of St. Louis Water Div Doc. ID Number 20-smcc-743
Address 1640 S Kingshighway Case Number 2022-CC 01111

Executed:



Summons / Petition



Subpoena

I hereby certify that I served the within summons and petition by:

☐ Subpoena How Served: _____

☐ Posting copy of Summons and copy of Petition, to dwelling listed on above address.

☐ Delivering a copy of the summons and a copy of the petition, to the Defendant/Respondent.

How Served: _____

☐ Leaving a copy of the summons and a copy of the petition, at the dwelling place or usual abode of the Defendant/Respondent with a family member over the age of 15 years _____

☐ Non-Est Reason: _____

☒ For service on a **Corporation/Partnership**: by delivering a copy of the Eviction/Replevin/Writ of Possession to

☒ An Agent and/or Appointed Agent: Cardyn Hargacin Fluss (name) Exec. Sec. (title).

☐ A Partner: _____ (name) _____ (title).

☐ A Managing or General Agent: _____ (name) _____ (title).

☐ The person in charge of defendant's business office _____ (name) _____ (title).

☐ The Registered Agent: _____ (name) _____ (title).

☐ Non-Est Reason: _____

☐ For service on **Limited Liability Company (LLC)**: by delivering a copy of the summons and a copy of the petition to:

☐ The Registered Agent: _____ (name) _____ (title).

☐ An Authorized Person: _____ (name) _____ (title).

☐ An Organizer: _____ (name) _____ (title).

☐ Non-Est Reason: _____

Served at 4600 McKee (address)

in (City of St. Louis), MO, on 8-19-20 (date) at 3:01 pm (time).

Print name of Sheriff or Server Joe Galli

Signature of Sheriff or Server Joe Galli #675



20 AUG 2021 10:11

Judge or Division: REX M BURLISON	Case Number: 2022-CC01111	
Plaintiff/Petitioner: M & B OIL, INC.	Plaintiff's/Petitioner's Attorney/Address DAVID C. KNIERIEM 13321 NORTH OUTER FORTY RD SUITE 100 TOWN & COUNTRY, MO 63017	
Defendant/Respondent: FEDERATED MUTUAL INSURANCE CO	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	(Date File Stamp)
Nature of Suit: CC Breach of Contract		

Summons in Civil Case

The State of Missouri to: CITY OF ST LOUIS WATER DIV
Alias:

OFFICER IN CHARGE
WATER DIVISION
1640 S KINGSHIGHWAY
ST LOUIS, MO 63110

COURT SEAL OF



CITY OF ST LOUIS

SHERIFF'S FEE PAID

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

August 6, 2020

Thomas Hoopfinger

Date

Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).
- ☐ other: _____

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary \$ 10.00

Supplemental Surcharge \$ _____

Mileage \$ _____ (_____ miles @ \$ _____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



IN THE 22ND JUDICIAL CIRCUIT, CITY OF ST LOUIS, MISSOURI

RECEIVED

Judge or Division: REX M BURLISON	Case Number: 2022-CC01111	AUG 10 2020
Plaintiff/Petitioner: M & B OIL, INC.	Plaintiff's, Petitioner's Attorney/Address DAVID C. KNIERIEM 13321 NORTH OUTER FORTY RD SUITE 100 TOWN & COUNTRY, MO 63017	COLE COUNTY SHERIFF'S OFFICE
Defendant/Respondent: FEDERATED MUTUAL INSURANCE CO	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	(Date File Stamp)
Nature of Suit: CC Breach of Contract		

Summons in Civil Case

The State of Missouri to: FEDERATED MUTUAL INSURANCE CO

Alias:

COLE COUNTY, MO

DIRECTOR OF INSURANCE
301 WEST HIGH STREET, ROOM 530
JEFFERSON CITY, MO 65101

COURT SEAL OF



CITY OF ST LOUIS

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

August 6, 2020

Thomas Kloppeyinger

Date

Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with a person of the defendant's/respondent's family over the age of

15 years who permanently resides with the defendant/respondent.
☒ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to:
Debra Lee (name) Designee (title).

☐ other: _____
 Served at 301 W High St Jefferson City MO 65101 (address)
 in Cole (County/City of St. Louis), MO, on 08-12-2020 (date) at 9:35 AM (time).

Sheriff

Printed Name of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____
 Non Est \$ _____
 Sheriff's Deputy Salary \$ _____
 Supplemental Surcharge \$ 10.00
 Mileage \$ _____ (_____ miles @ \$ _____ per mile)
 Total \$ _____

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

3297
820.00

IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS
STATE OF MISSOURI

M & B OIL, INC.,)	
)	
Plaintiff,)	
)	
vs.	)	Cause No. 2022-CC01111
)	
FEDERATED MUTUAL INSURANCE)	
COMPANY, et al.	)	Div. 1
)	
Defendants.)	

MOTION FOR DEFAULT JUDGMENT AS TO FEDERATED MUTUAL

Comes now Plaintiff, and requests this Court enter default judgment as to Federated Mutual Insurance Company. As grounds for this Motion, Plaintiff states that more than 30 days have passed since Defendant was served, and Defendant has failed to respond. Plaintiff has attached an affidavit of damages.

LAW OFFICES OF DAVID C. KNIERIEM

/s/ David C. Knieriem
David C. Knieriem #37968
13321 North Outer Forty Road, Suite 100
Town & Country, MO 63017
314-862-5110
Attorney for Plaintiff

Certificate of Service

A copy of the foregoing was served this 24th day of December, 2020 via the courts electronic filing system to all attorneys of record.

/s/ David C. Knieriem

IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS
STATE OF MISSOURI

M & B OIL, INC.,)	
)	
Plaintiff,)	
)	
vs.	)	Cause No. 2022-CC01111
)	
FEDERATED MUTUAL INSURANCE)	
COMPANY, et al.	)	Div. 1
)	
Defendants.)	

NOTICE OF HEARING

Comes now Plaintiff, and states it will call up its motion for default judgment as to Federated Mutual Insurance Company on Monday, January 4, 2020 at 9am or as soon thereafter as counsel may be heard via the Court's video docket.

LAW OFFICES OF DAVID C. KNIERIEM

/s/ David C. Knieriem
David C. Knieriem #37968
13321 North Outer Forty Road, Suite 100
Town & Country, MO 63017
314-862-5110
Attorney for Plaintiff

Certificate of Service

A copy of the foregoing was served this 24th day of December, 2020 via the courts electronic filing system to all attorneys of record.

/s/ David C. Knieriem

IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS
STATE OF MISSOURI

M & B OIL, INC.,)	
)	
Plaintiff,)	
)	
vs.	)	Cause No. 2022-CC01111
)	
FEDERATED MUTUAL INSURANCE)	
COMPANY, et al.	)	Div. 1
)	
Defendants.)	

AMENDED NOTICE OF HEARING

Comes now Plaintiff, and states it will call up its motion for default judgment as to Federated Mutual Insurance Company on Monday, February 8, 2020 at 9am or as soon thereafter as counsel may be heard via the Court's video docket.

LAW OFFICES OF DAVID C. KNIERIEM

/s/ David C. Knieriem
David C. Knieriem #37968
13321 North Outer Forty Road, Suite 100
Town & Country, MO 63017
314-862-5110
Attorney for Plaintiff

Certificate of Service

A copy of the foregoing was served this 24th day of December, 2020 via the courts electronic filing system to all attorneys of record.

/s/ David C. Knieriem

IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS
STATE OF MISSOURI

M & B OIL, INC.,)	
)	
Plaintiff,)	
)	
vs.	)	Cause No. 2022-CC01111
)	
FEDERATED MUTUAL INSURANCE)	
COMPANY, et al.	)	Div. 1
)	
Defendants.)	

REQUEST FOR ALIAS SUMMONS

Comes now Plaintiff, and requests an alias summons be issued to:

Federated Mutual Insurance Company
c/o Director of Insurance
301 West High Street, Room 530
Jefferson City, MO 65101

LAW OFFICES OF DAVID C. KNIERIEM

/s/ David C. Knieriem
David C. Knieriem #37968
13321 North Outer Forty Road, Suite 100
Town & Country, MO 63017
314-862-5110
Attorney for Plaintiff

Certificate of Service


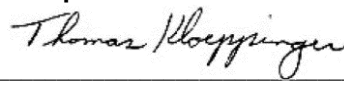
A copy of the foregoing was served this 6th day of January, 2021 via the courts electronic filing system to all attorneys of record.

/s/ David C. Knieriem



Judge or Division: MICHAEL FRANCIS STELZER	Case Number: 2022-CC01111	
Plaintiff/Petitioner: M & B OIL, INC.	Plaintiff's/Petitioner's Attorney/Address DAVID C. KNIERIEM 13321 NORTH OUTER FORTY RD SUITE 100 TOWN & COUNTRY, MO 63017	
Defendant/Respondent: FEDERATED MUTUAL INSURANCE CO	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	
Nature of Suit: CC Breach of Contract		(Date File Stamp)

ALIAS Summons in Civil Case

The State of Missouri to: FEDERATED MUTUAL INSURANCE CO	
Alias:	COLE COUNTY, MO
DIRECTOR OF INSURANCE 301 WEST HIGH STREET, ROOM 530 JEFFERSON CITY, MO 65101	
 CITY OF ST LOUIS	You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.
January 13, 2021	
Date	Clerk
Further Information:	

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).
- ☐ other: _____.

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$. _____ per mile)
Total	\$ _____

A copy of the summons and a copy of the petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

State of Missouri

Department of Commerce and Insurance



TO: Corporate Secretary (or United States Manager or Last Appointed General Agent) of

FEDERATED MUTUAL INSURANCE COMPANY
SR LEGAL COUNSEL
121 E. PARK SQUARE
OWATONNA, MN 55060

RE: Court: St. Louis City Circuit Court, Case Number: 2022-CC01111

FILED
22ND JUDICIAL CIRCUIT
CIRCUIT CLERK'S OFFICE
2021 FEB 17 AM 5:00

You will take notice that original process in the suit against you, a copy of which is attached hereto and sent to you by certified mail, was duly served upon you at Jefferson City, Missouri, by serving the same on the Director of the Department of Commerce and Insurance of the state of Missouri, Dated at Jefferson City, Missouri this Friday, January 29, 2021.

Director of Commerce and Insurance

AFFIDAVIT

State of Missouri,

ss.

County of Cole,

The undersigned Director of the Department of Commerce and Insurance or the Director's designated agent, hereby makes oath and certifies the original of the above notice to the above addressee was mailed at the United States Post Office in Jefferson City, Missouri on January 29, 2021 by first class certified mail prepaid as provided by section 375.906.5, RSMo. and Supreme Court Rule 54.15

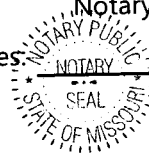
Director, Department of Commerce and Insurance

By:

Subscribed and sworn to before me this 29th day of January 2021

Notary Public

My commission expires



KATHRYN LATIMER
My Commission Expires
March 4, 2024
Cole County
Commission #1218305

ENTERED

FEB 17 2021

PAC